C.F. 200/-

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 2515 /2005

PETITIONERS

1. Lalla Khan, S/o. Israr Khan, Aged about 45 years, R/o. Rajbandha Talab, Aspatal Ward, Raipur.

2. Rahim Bee (Deceased), through son Jahir Bhai, S/o. Sher Ali, R/o. Rajbandha Talab, Aspatal Ward Raipur.

P.R. No. 2606/05 Presented by Shri Ashok Soni dated 14/6/05

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through the Secretary, Urban Administration, Mantralay, D.K.S. Bhawan, Raipur.

2. Municipal Corporation, Raipur, Through Commissioner.

3. Collector, Raipur.

4. Authorised Officer, Under Act 15 of 1984, Through Collector, Raipur.

WRIT PETITION U/A. 226/227 OF THE CONSTITUTION OF INDIA

The Petitioners most humbly and

XI-HC-78

(46)

# उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

## मामला क्रमांक .....W.P.2515..... सन् 2005

### आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| | 19-10-2005<br>Mr. Rajesh Ranjan Sinha, counsel for the petitioners.<br>Mr. Ravi Ranjan Sinha, Panel Lawyer for the State/respondents No.1, 3 & 4.<br>Mr. H.B. Agrawal, Senior Advocate with Miss Shipra Biswas, Advocate for respondent No.2.<br>Heard.<br>Learned counsel for the petitioners submits that the petitioners are land less persons and for their settlement they had been granted lease by the Authorized Officer of the Government of the State of Chhattisgarh. The Municipal Corporation, Raipur, proposes to widen the road in the interest of public.<br>Mr. H.B. Agrawal, learned Senior Counsel appearing for respondent No.2 with Miss Shipra Biswas, Advocate, submits that the Corporation is ready to offer other land for the settlement of the petitioners, as the land in dispute is required in the public interest for widening the road.<br>The petitioners cannot be thrown away/dispossessed from the land allotted to them by the Authorized Officer without affording proper hearing. The petitioners are agreeable to appear before the competent authority of the Corporation and present their case.<br>The petitioners are directed to appear before the competent authority of respondent No:2 Corporation on 21st November, 2005, to | |

(A7)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**मामला क्रमांक** ..... W.P. 2515/ ..... **सन् 2005**

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश -2- | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| Soma | present their case. Respondent No.2 will not pass any order of demolition or dispossession of the petitioners from their land before affording proper hearing.<br>In view of the foregoing, the writ petition stands disposed of.<br>Consequently, M.(W.)P.No.2039/2005, I.A.Nos.4963/2005 and 4849/2005 also stand disposed of.<br>Parties are entitled for certified copy of this order.<br>**Sd/-**<br>**Satish K. Agnihotri**<br>**Judge** | |

SP/FS/2005 - 20,000